

CITY COUNCIL  
CITY OF WICHITA  
KANSAS

City Council Meeting  
9:00 A.M., August 10, 2004

City Council Chambers  
455 North Main

ORDER OF BUSINESS

- Call to Order
  - Invocation
  - Pledge of Allegiance
  - Approve the minutes of the previous meeting
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AWARDS AND PRESENTATIONS

- Proclamations
  - Recognition of Northeast Magnet High School Art Students
  - Recognition of Boeing Wichita's 75th Anniversary
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PUBLIC AGENDA

- 1. Robert J. Davis-Wichita News Brief.
  - 2. King David Davis-Going to the Next Step.
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UNFINISHED BUSINESS

- 3. Repair or Removal of Unsafe Structures, 323 North Meridian. (District VI)  
(Continued from March 2, 2004)

RECOMMENDED ACTION: Modify its previous resolution and grant the owner an additional 60 days to finalize rehabilitation financing and complete required exterior repairs. Any extension of time should be conditioned on the following: (1) all delinquent taxes are paid in full within 14 days; (2) the structure will be maintained in a secure condition; (3) the premise is maintained free of debris and kept mowed; and (4) per City Council Policy 33, a cash deposit equal to one half the estimated cost of demolition is deposited with

the City within 14 days.

4. Revision of Animal Maintenance Code.  
(Deferred from August 3, 2004)

RECOMMENDED ACTION: Place the ordinance on first reading.

5. Authorize Marketing of Wellington Place, 1847 Wellington Place; Submittal of National Register Nomination for Comley House, 1137 North Broadway and Marketing of Comley House upon Designation in the Register of Historic Kansas Places. (District VI)  
(Deferred from August 3, 2004)

RECOMMENDED ACTION: Authorize sale of Wellington Place for a use in conformance with the Midtown Neighborhood Plan; submittal of a National Register nomination for the Comley House to the State Historic Preservation Office and list the Comley House for sale, upon designation, for a use in conformance with the Midtown Neighborhood Plan. Price for properties shall be approved by City Council based on property appraisals.

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#### NEW BUSINESS

6. 2005 Annual Operating Budget and Revisions to the 2004 Budget.

On July 20, 2004, the City Council placed the budget ordinances on first reading and authorized the publication of the hearing notices establishing the maximum mill levy for the 2005 City Budgets.

RECOMMENDED ACTION: Close the public hearing and (1) approve the 2005 Budgets and adopt the necessary budget ordinances, including those for the tax increment financing (TIF) Districts and the self-supported municipal improvement District (SSMID); (2) approve amending the 2004 budget for the following funds: Tourism and Convention, Economic Development, Self-Supporting Municipal Improvement District, Water Utility; and Self Insurance; (3) approve the joint agreements with Sedgwick County (including amendments to the City-County Flood Control operating budget); and (4) approve the use of local funds derived from property within the corporate limits for the Wichita State University Board of Trustees (Interlocal Agreement between the City of Wichita and County).

7. Public Hearing and Issuance and Industrial Revenue Bonds, BeautyFirst Project. (District II)

On February 3, 2004, the City Council approved an incentive package to Riversharpe Properties LLC for the benefit of the BeautyFirst project. The company is now requesting the City to issue Industrial Revenue Bonds in the amount not-to-exceed \$3,000,000 to finance the project.

RECOMMENDED ACTION: Close the public hearing and approve first reading of the Bond Ordinance authorizing the execution and delivery of documents for the issuance of Industrial Revenue Bonds for Riversharpe Properties LLC in an amount not-to-exceed \$3,000,000 and authorize the necessary signatures.

8. Transportation Services Agreement Amendment-AirTran Airways, Inc.

AirTran currently provides three flights daily to their Atlanta hub. This service is supported through a one-year \$2.5 million dollar revenue guarantee agreement with the City of Wichita and aggressive advertising and promotion through Fair Fare\$.

RECOMMENDED ACTION: Approve the contract amendment and authorize the necessary signatures.

9. East Side Fire Service Memorandum of Understanding.

On June 2, 2004, the County Fire Department Resource Allocation Study, Final Report, was submitted to the Sedgwick County Commission. Due to changing emergency service needs, all scenarios the consultant recommended involved either closing or relocating County Fire Station #38. The governmental responsibility for medical first response and fire service near the location of Station #38 is evolving into either a joint service area or a transitional area of service responsibility.

RECOMMENDED ACTION: Approve the Memorandum of Understanding for the Pilot Program at County Fire Station #38.

10. Fraternal Order of Police Fact-Finding.

The City of Wichita and the Fraternal Order of Police have not negotiated a contract to succeed the contract, which expired on December 19, 2003. After an impasse in negotiations was declared and mediation was unsuccessful, a fact-finder was appointed pursuant to the Kansas Public Employer-Employee Relations Act. The fact-finder issued a report on June 24, 2004.

RECOMMENDED ACTION: Receive the report of the fact-finder, schedule August 31, 2004, at 9:30 a.m., for the hearing on the matter and authorize the representative of the Fraternal Order of Police and the representative of the City to each submit a written recommendation and 20 minutes to explain their respective positions.

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CITY COUNCIL AGENDA

11. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

12. Approval of Travel Expenses for Vice-Mayor Brewer to Attend National League of Cities Community & Economic Development Steering Committee Meeting in Tucson, AZ, September 30-October 3, 2004.

RECOMMENDED ACTION: Approve the expenditures.

13. Approval of Travel Expenses for Council Member Martz to attend National League of Cities Human Development Steering Committee Meeting in West Hollywood, CA, October 7-10, 2004.

RECOMMENDED ACTION: Approve the expenditures.

14. Approval of Travel Expenses for Mayor to make Presentation at Harvard University's China Leaders in Development Program, in Park City, UT, August 21-23, 2004.

RECOMMENDED ACTION: Approve the expenditures.

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CONSENT AGENDA

15. Report of the Board of Bids and Contracts Dated August 9, 2004.

RECOMMENDED ACTION: Receive and file report; approve Contracts;  
authorize necessary signatures.

16. Application for License for Adult Entertainment Establishments/Services:

Renewal – Escort Service

Sharla Elore

Millineum Entertainment

2415 South Glendale

RECOMMENDED ACTION: Approve license subject to Staff review and approval.

17. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2004</u>	<u>(Consumption on Premises)</u>
Paul A. Oropesa Mark T. Ryan	L.W. Clapp Golf Course* Ryan Boys Inc. dba Two Brothers BBQ*	4611 East Harry 300 South Greenwich Road
<u>Renewal</u>	<u>2004</u>	<u>(Consumption off Premises)</u>
Ben J. Schultz Greg Speakman	T&E Oil Co., Inc. #11 On the Road, Inc.	3935 North Broadway 801 South Oliver
<u>New Establishment</u>	<u>2004</u>	<u>(Consumption off Premises)</u>
Jeff N. Reif Jeff N. Reif	Target Store T-1944 Target Store T-1945	10800 East 21st Street North 2727 Maize Road

\*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

18. Preliminary Estimates:

- a) 2004 contract maintenance bridge deck resurfacing of the northbound Broadway Bridge over the Arkansas River - north of Carp Street on Broadway. (472-83947/132716/) Road closed to through traffic, local traffic only. (District III) - \$207,480
- b) 2004-2005 CDBG street, curb, gutter and sidewalk improvements (sidewalk repairs) - north of 8th Street North, east of Washington (472-83906/602551/800402\_010111) Traffic to be maintained during construction using flagpersons and barricades. (District I) - \$100,000
- c. Killenwood Court from the east line of Killenwood Court to and including the cul-de-sac serving Lots 11 through 22, Block 1 to serve Killenwood Pointe Addition - south of 13th Street North, east of Greenwich. (472-83269/765884/490995) Does not affect existing traffic. (District II) - \$147,000
- d. Clara Street, from the east line of Doris Street, east and south to the south line of the plat; Doris Street, from the south line of 13th Street North to the south line of the plat; Sidewalk along one side of Doris Street to serve Steve Kelley 5th Addition (south of 13th Street North, east of Hoover Road) (472-83993/765875/490986) Does not affect existing traffic. (District VI) - \$223,510
- e) Kansas Air Museum Restoration, Phase 2 - George Washington Blvd. at 31st Street South. (792419 /602386/435389/800002,060110) Does not affect existing traffic. (District III) - \$900,000

RECOMMENDED ACTION: Approve and file.

19. Petition for Public Improvements: Construct a Storm Water Drain for Avalon Park Addition, North of 37<sup>th</sup> Street North, East of Tyler. (District V)

RECOMMENDED ACTION: Approve the Petition and adopt the Resolution.

20. Minutes of Advisory Boards/Commissions:

Wichita Public Library Board of Directors, July 20, 2004  
Wichita Public Library Board of Directors, June 15, 2004  
Design Council, June 17, 2004  
Housing Advisory Board Meeting, June 15, 2004  
Board of Park Commissioners, June 14, 2004  
Board of Electrical Appeals, June 8, 2003  
District I Advisory Board Meeting, June 7, 2004  
Board of Code Standards and Appeals, June 7, 2004  
Wichita Airport Advisory Board, June 7, 2004  
Wichita Employees Retirement Board Joint Investment Committee, June 3, 2004  
District III Advisory Board Minutes, June 2, 2004  
Wichita Employees Retirement Regular Board Meeting, May 26, 2004  
Police & Fire Retirement System Board Meeting, May 26, 2004  
District VI Advisory Board Minutes, May 19, 2004  
Housing Advisory Board Meeting, May 18, 2004  
Board of Park Commissioners Regular Meeting, May 10, 2004  
Wichita Employees Retirement Board Joint Investment Committee, May 6, 2004  
District III Advisory Board, May 5, 2004  
Deferred Compensation Board of Trustees Special Meeting, May 3, 2004  
District I Advisory Board Meeting, May 3, 2004  
District III Advisory Board Meeting, April 7, 2004  
Deferred Compensation Board of Trustees, March 1,, 2004  
District II Advisory Board Meeting, March 3, 2004  
District III Advisory Board Meeting, February 11, 2004  
District III Advisory Board Meeting, January 7, 2004  
Wichita Public Building Commission Meeting, July 9, 2003  
Wichita Public Building Commission Meeting, December 3, 2003

RECOMMENDED ACTION: Receive and file.

21. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

22. Right-of-Way Agreement, ATOFINA Petrochemicals, Inc. (District V)

RECOMMENDED ACTION: Approve Agreement/Contract; authorize necessary signatures.

23. Change Order: Waterline Replacement in an Area Bounded by 2<sup>nd</sup>, 13<sup>th</sup>, Ohio and Minnesota Streets. (District I)

RECOMMENDED ACTION: Approve the Change Order and authorize the necessary signatures.

24. Sidewalk Repair Assessments.

RECOMMENDED ACTION: Approve the proposed assessments and place the Ordinance on first reading.

25. City Buildings and Facilities Americans Disability Act, (ADA) Compliance.

RECOMMENDED ACTION: Approve the project; adopt the Bonding Resolution; authorize staff to solicit for a consultant to survey the existing buildings/facilities for ADA compliance and authorize the necessary signatures.

26. Transfer of Land at 9<sup>th</sup> and Wichita and 12<sup>th</sup> and Main Street between the City of Wichita and USD 259. (District VI)

RECOMMENDED ACTION: Approve the transfers and authorize the necessary signatures.

27. Second Reading Ordinances: (First read August 3, 2004)

- a) Wichita Employee's Retirement System - establish attendance policy for the elected members of the Board of Trustees.

An Ordinance revising City Code Section 2.28.080 of the Wichita Employees' Retirement System. establishing an attendance policy for the elected members of the board of trustees.

- b) ZON2004-23 - located on the east side of Hillside and south of 53rd Street North. (District I)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON 2004-23

RECOMMENDED ACTION: Adopt Ordinances.

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AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

28. Security Gates and Parking Lot Improvements, Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the project and adopt the resolution and authorize the necessary signatures.

Adjournment

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